

CUSTOMER NO.: 24498
Final Office Action dated: 11/28/07

PATENT
RCA 89,620 US

Remarks/Arguments

Claims 1-7 and 9-10 are pending in this application, and are rejected in the final Office Action dated November 28, 2007. Claims 1-6 and 9-10 are amended herein to more clearly and distinctly claim the subject matter that Applicants regard as their invention. No new matter is believed to be added by the present amendment.

Rejection of Claims 1-7 and 9-10 under 35 U.S.C. §103(a) as being unpatentable over Kaganas et al. (U.S. Patent No. 6,425,018), Tanaka et al. (U.S. Patent No. 6,446,177) and Truong et al. (U.S. Patent No. 6,173,057)

Applicants submit that for at least the reasons discussed below the present amended claims are patentably distinguishable over the cited combination of references.

Amended independent claim 1 recites:

"decrypting the associated decoder file using a first key;
using a second key and a unique identification associated with the single removable data storage device to generate a third key;
decrypting the selected audio data file using the third key;
decoding the decrypted audio data file in accordance with the decrypted decoder file in the digital signal processor" (emphasis added)

As indicated above, amended independent claim 1 recites steps of "using a second key and a unique identification associated with the single removable data storage device to generate a third key" and "decrypting the selected audio data file using the third key". Independent claims 4, 6 and 10 are amended herein to define similar subject matter to independent claim 1. Support for these amendments may be found, for example, on page 8, lines 19-23 of Applicants' specification. As indicated by this passage of Applicants' specification, the aforementioned claimed steps advantageously provide "[a]n additional security layer with regard to the decryption of the audio data file".

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None of the cited references, whether taken individually or in combination, discloses or suggests, *inter alia*, the aforementioned claimed steps. On pages 3-4 of the final Office Action dated November 28, 2007, the Examiner acknowledges that "the combination of Kaganas and Tanaka does not contemplate the encryption method of the associated codec's, decoder files, or programs, which are found on a memory card in the system taught by Kaganas", and ostensibly relies on Truong for allegedly teaching the claimed step of "decrypting the audio data file ...". With regard to Truong, the Examiner specifically states:

"Truong teaches that the security table, which includes various decoding algorithms, is used to create the encoded information ... and the keys associated with decrypting the associated data and programs are also based on values found in a security table (Col. 3, lines 25-26 and lines 34-36)." (emphasis added)

As indicated above, the Examiner alleges that "keys associated with decrypting" are based on values found in a "security table" of Truong. Applicants further note that column 4, lines 5-10 of Truong also state that a "smart card" may record "[k]eys for decoding and decrypting information stored in the recording medium."

Despite the foregoing passages of Truong, Applicants submit that none of the cited references, including Truong, disclose or suggest the desirability of using a key and a unique identification associated with a single removable data storage device to generate another key, and then using the generated key to decrypt a selected audio data file. As such, the proposed combination fails to disclose or suggest, *inter alia*, the steps of "using a second key and a unique identification associated with the single removable data storage device to generate a third key" and "decrypting the selected audio data file using the third key", as recited for example in independent claim 1.

Accordingly, Applicants submit that even if it is proper to combine the cited references in the manner proposed in the final Office Action, the combined references still fail to disclose or suggest each and every limitation of the present claims. Therefore, Applicants respectfully submit that independent claims 1, 4, 6

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and 10, and the claims that depend therefrom, are patentably distinguishable over the proposed combination of references, and withdrawal of the rejection is respectfully requested.


Conclusion

Having fully addressed the Examiner's rejections it is believed that, in view of the preceding amendments and remarks/arguments, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the Applicants' attorney at (609) 734-6815, so that a mutually convenient date and time for a telephonic interview may be scheduled.

Respectfully submitted,

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